

FILED

JAN 22 2020

United States District Court
Eastern District of North Carolina
Western Division

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY  DEP CLK

Case No. 5:20-CV-27

(To be filled out by Clerk's Office only)

DONOVAN MOENELL WILLIAMS

Inmate Number 180560

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

The City of Raleigh

COMPLAINT

(Pro Se Prisoner)

Jury Demand?

☒ Yes

☐ No

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

I. COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- ☐ Action under Federal Tort Claims Act (United States is the proper defendant; must have presented claim in writing to the appropriate Federal agency and received a notice of final denial of the claim pursuant to 28 U.S.C. § 2401(b))

II. PLAINTIFF INFORMATION

Donovan Moenell Williams

Name

180560

Prisoner ID #

Wake County Detention Center

Place of Detention

P.O. box 2479

Institutional Address

Raleigh

NC

27602

City

State

Zip Code

III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee ☐ State ☐ Federal
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner

IV. DEFENDANT(S) INFORMATION (Municipality)

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1: City of Raleigh
Name

Current Job Title

Current Work Address

City State Zip Code
Capacity in which being sued: ☐ Individual ☒ Official ☐ Both

Defendant 2: _____
Name

Current Job Title

Current Work Address

City State Zip Code
Capacity in which being sued: ☐ Individual ☐ Official ☐ Both

Defendant(s) Continued

Defendant 3:

Name

Current Job Title

Current Work Address

City

State

Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☐ Both

Defendant 4:

Name

Current Job Title

Current Work Address

City

State

Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☐ Both

V. STATEMENT OF CLAIM

Place(s) of occurrence: Raleigh, NC

Date(s) of occurrence: 2006-2019

State which of your federal constitutional or federal statutory rights have been violated: 4th, 5th, 6th, 8th, 14th amendments. Since Article 6, section 2 of the Constitution makes International treaty and Customary law supreme by signature and ratification, also my rights established in the Universal Declaration of Human Rights Article 1, sections 1, 5, 7, 18, 19, 20, 21, & 27, as well as Section 702 of the 1987 Restatement of the Foreign Relations Law, and the rights set forth at the International Convention on the Elimination of All Forms of Racial Discrimination, The International Covenant on Civil and Political Rights, and The Convention Against Torture and Other Cruel, Inhumane, or Degrading Punishment.

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS: Petitioning Courts for a redress of grievances by Monell claim against the City of Raleigh's pattern, campaign, practice, & system of abuse, discrimination, harassment, constitutional violations, & criminal behavior under color of law. I have (4) exhibits including a witness to the campaign of violations from ages 15-17, PTSD and Concussion diagnostics, and record from 1T & up that corroborate the thematically cohesive actuality & validity of suit.

Who
did what to
you?

I'll try to briefly describe 15 yrs of events in chronological order. City officials have repeatedly denied me and deprived me of my rights, liberty, & dignity and humanity. I was stopped & frisked at least 20 times between 2006 and 2008 as a teenage pedestrian, in which every instance included my buttocks & genitalia being searched (which leads me to believe it was of a sexual nature) and socks being removed during verbal abuse, in public, without a guardian present as a minor. In one instance I was placed in back of an on marked car with two cops that put their arms around me & called me a "young lady" intentionally inflicting emotional distress & falsely charged with trespassing after I asked if they had anything better to do than to bother kids. I was the only person arrested out of the group because a cop arrived & told another "Mr. Opinion" I was asked if I "knew who they were" told to stop asking questions. Instead of simply dismissing the case, a judge coerced me to plea out & do community service which I already did without court orders. In that same area at age 15 while at my friend's sister's house to pick him up for our daily basketball games a cop just walked up and asked if I wanted to "fight" behind the house, but I knew better. After dropping a friend off at the bus stop I turned around and seen a man hanging out a van with a machine gun. Made me sit on a stump and humiliated me publicly again. In 2009 I was denied medical treatment after being stabbed, beaten unconscious, and harassed but I was taken into custody & questioned & held for 4 days until I made bond. I bled in the car on the scene for at least an hour. 2014 a cop tried to run me over because I didn't comprehend what I was being stopped for (they wouldn't tell me) saying "I'm gonna get you motherfucker" I jumped out the way at the last moment. I would have been injured forever for a trivial occurrence. 2016 I drove with my window down & shirt off so my seatbelt was clearly visibly secured. Also had a young lady with me. Cop bled & said I didn't, stopping us just because he wanted to. That costed me 2 supervisor positions. Most recently, cops ignored a murder for hire plot and countless crimes by an admitted white drug dealing suburban community to pursue me with no material evidence and coerced someone to identify me although they identified someone else. In every instance the courts never penalized the officers or dropped the case. A detective even verbalized retaliatory intent for me being innocent in a case after a trial. These are just some instances of their reckless, callous indifference and clearly nefarious intent. Please help me. They have destroyed my life & their "discretion." Work of 17th day was charged with assault on god official because in a fistfight like a teen someone grabbed me and I pulled away, which seen look back it was a cop. They didn't deserve themselves at the 1st trial. I did what I should have done with that cop saying he never charged me. Since Raleigh look but they did.

What
happened
to you?

I've been exposed to exactly what the drafters of the constitution despised & had in mind when ensuring our freedoms and no one cares. Also, my drivers licenses and other forms of ID have been repeatedly taken from me without justification, money at least 4x and even once my CDs. They've maliciously & vindictively caused harm to me or at least tried to countless times, destroyed my opportunities for advancement, costed me and my family at least \$70,000 in bail & legal fees and it's getting worse, not better. As a descendant of Zarahemla, this is not the liberty God covenanted to my ancestors in this, my right inheritance. (records will support this) Also took my jewelry although they had photos of me in it & charged me with felony crime that no one said I did just to be more potently harmful to me (in 2019). This must stop.

When did it
happen to
you?

Since 2006 until I was arrested.

Where did it
happen to
you?

Raleigh, North Carolina.

What was
your
injury?

Diagnosed with PTSD, I have very frequent migraines which I have to pay \$10 for sick calls to get a month of Tylenol in jail, my reputation is decimated, irreparable harm due to continual constitutional violations, I had a case pending from ages 18-25, the prime years of my life, during which I tried to get in every military branch including the Guard & Reserves, but couldn't. I tested and highest on my EMT exam but couldn't get licensed. The Fire Chief couldn't even get me in the Fire Dept. Couldn't work as a merchant marine, for Red Cross, at NCSU or NCCU, for the Plumbers Union, stopped my Electrical Systems Technologies classes at Durham Tech, got hired to be a sales manager by a sociology professor at Staples that won the Regional GM of the year & couldn't get in, couldn't work for Commetech, Electric Boat, I can keep going. Lexis Nexis should have every single one of these background inquiries on file. It impaired my ability to financially support my family. I couldn't help my grandaunt as she passed away, couldn't pay for my brother's college fees, nor have enough for my business models amongst many other things. I've been homeless chronically since 2011 but I keep it a secret. Sleeping bags, tents, blanket & cement, shelters, trains, cars, you name it. I am probably one of the hardest workers alive but without opportunity I suffer daily.

VI. ADMINISTRATIVE PROCEDURES

Not suing a prison or jail.

WARNING: Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Have you filed a grievance concerning the facts relating to this complaint? ☐ Yes ☐ No

If no, explain why not:

This is not a jail/prison suit. N/A

Is the grievance process completed?

☐ Yes ☐ No

If no, explain why not:

''

''

VII. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

An expungement of my record, a declaratory, an injunction (please), and punitive & compensatory damages in the amount of 7.5 million dollars that I may live in peace and run my companies & foundations, & anything else the Courts of my great & beloved Nation sees fit. Their behavior is unacceptable.

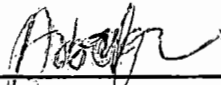
IX. PLAINTIFF'S DECLARATION AND WARNING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint and provide prison identification number and prison address.

1/13/2020
Dated


Plaintiff's Signature

Donovan M. Williams
Printed Name

180560
Prison Identification #

<u>WCDC</u>	<u>Raleigh</u>	<u>NC</u>	<u>27602</u>
P.O. box 2479	City	State	Zip Code
Prison Address			